

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**MOTION FOR ADMISSION PRO HAC VICE**

**Case Number:** 0:11-cv-01771-RHK-LIB

**Case Title:** Robyn Smith for Devan VanBrunt v. Blitz U.S.A., Inc., et al

**Affidavit of Movant**

I, Seth Leventhal, an active member in good standing of the bar of the U.S. District Court for the District of Minnesota, request that this Court admit *pro hac vice* Timothy P. Harkness, an attorney admitted to practice and currently in good standing in the U.S. District Court for the Southern District of New York, but not admitted to the bar of this court, who will be counsel for the ☐ plaintiff ☒ defendants **Kinderhook Capital Fund II, L.P., and Kinderhook Industries, LLC** in the case listed above. I am aware that the local rules of this court require that an active Minnesota resident, unless the court grants a motion for a non-Minnesota resident to serve as local counsel, who is a member in good standing of the bar of this court participate in the preparation and presentation of the case listed above, and accept service of all papers served.

**Check one of the following:**

☒ I am a resident of the State of Minnesota, and agree to participate in the preparation and the presentation of the case above and accept service of all papers served as required by LR 83.5(d) (sign and complete information below).

☐ I am not a resident of the State of Minnesota and hereby move for permission to act as local counsel under LR 83.5(d). I agree to participate in the preparation and the presentation of the case listed above, and accept service of all papers served as required by LR 83.5(d) should my motion for a non-resident to serve as local counsel be granted by the court (sign and complete information below and attach a completed Motion for Permission for a Non-Resident to Serve as Local Counsel).

Signature: 

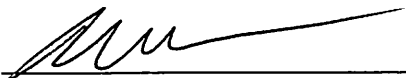
Date: 3/26/12

MN Attorney License #: 263357

**Affidavit of Proposed Admittee**

I, Timothy P. Harkness, am currently a member in good standing of the U.S. District Court for the Southern District of New York, but am not admitted to the bar of this court. I understand that if this Court grants me admission pro hac vice, the moving attorney identified in this motion must participate in the preparation and presentation of the case listed above, and must accept service of all papers served as required by LR 83.5(d). I further understand that the District of Minnesota is an electronic court and that I consent to service required by Fed. R. Civ. P. 77 by

electronic means and I understand that electronic notice will be in lieu of service by mail unless the Court learns that a failure has occurred in which case service will be effected by mail within 24 hours.

Signature: 

Date: 3/23/2012

Typed Name: Timothy P. Harkness

Attorney License Number: 2818508 issued by the State of NY (initials)

Law Firm Name: Freshfields Bruckhaus Deringer US LLP

Law Firm Address: 601 Lexington Ave, 31st Floor

New York, NY 10022

Main phone: (212) 277-4000

Direct line: (212) 230-4610

E-mail address: timothy.harkness@freshfields.com

Note: This motion shall be converted to PDF and e-filed in CM/ECF - do not e-file instruction page. The Pro Hac Vice admission fee of \$100 must be received by the Clerk of Court before the proposed admittee will be included in the roll of admitted attorneys and receive notices generated in the above-entitled action. The fee can be paid with a credit card when e-filing the motion or a check, payable to Clerk, U.S. District Court, can be mailed or delivered to the Clerk of Court.

For questions, please contact the Attorney Admissions Clerk at (651) 848-1100.